

August 11, 1983

TERMS AND CONDITIONS FOR TENTATIVE DEVELOPER DESIGNATION

GOVERNMENT CENTER GARAGE PARCEL

I. DISPOSITION PRICE

The minimum disposition price, including air-rights, shall be \$20,500,000.

II. DESIGN GUIDELINES

The developer must comply with the following design guidelines:

A. Uses

Ground Plane

1. The developer shall provide a direct and open pedestrian path from the corner of Congress and Merrimac Streets to New Chardon Street opposite Canal Street, minimum 30 feet wide. The sidewalks along Merrimac Street shall be a minimum of 15 feet wide.
2. The developer shall provide 20,000-23,000 square feet of convenience retail uses (i.e., drug stores, florist, etc.) located along both sides of New Merrimac Street and the pedestrian path described above. Wall areas visible to pedestrians shall be 80% glass.
3. The existing Merrimac Street elevator lobby shall be redesigned to provide better visibility and increased pedestrian security.
4. A sheltered bus waiting area design shall be integrated with the design of retail spaces.
5. The small existing subway entrance shall be reconstructed as sheltered portal subject to approval by the MBTA.

Parking Levels

1. A minimum of 1,865 parking spaces shall be retained for public use.
2. The present number of ingress and egress points shall not be decreased. The developer is encouraged to increase the number and improve the efficiency of ingress and egress points.
3. 500 parking spaces shall be reserved for overnight parking for Boston residents, in coordination with the residential parking district program.

4. No more than 180 of the existing parking spaces shall be closed during the air-rights construction period.
5. The developer shall increase and improve existing elevator service for parking uses.

Air-Rights Development

A portion of the air-rights floor area shall be devoted to activities that contribute to the 24-hour use of the downtown.

B. Design

Roofscape

The roofscape shall be harmonious with the existing skyline. New forms and materials are discouraged. Skylights and lightwells that reveal interior functions and landscaping are encouraged.

Exterior Facades

The design of all new exterior elements shall reflect the proportions and design expression of the existing structure.

Transit Plaza

The sheltered but open character of the transit plaza located at the eastern end of the garage shall be retained.

Depressed Ground Plane

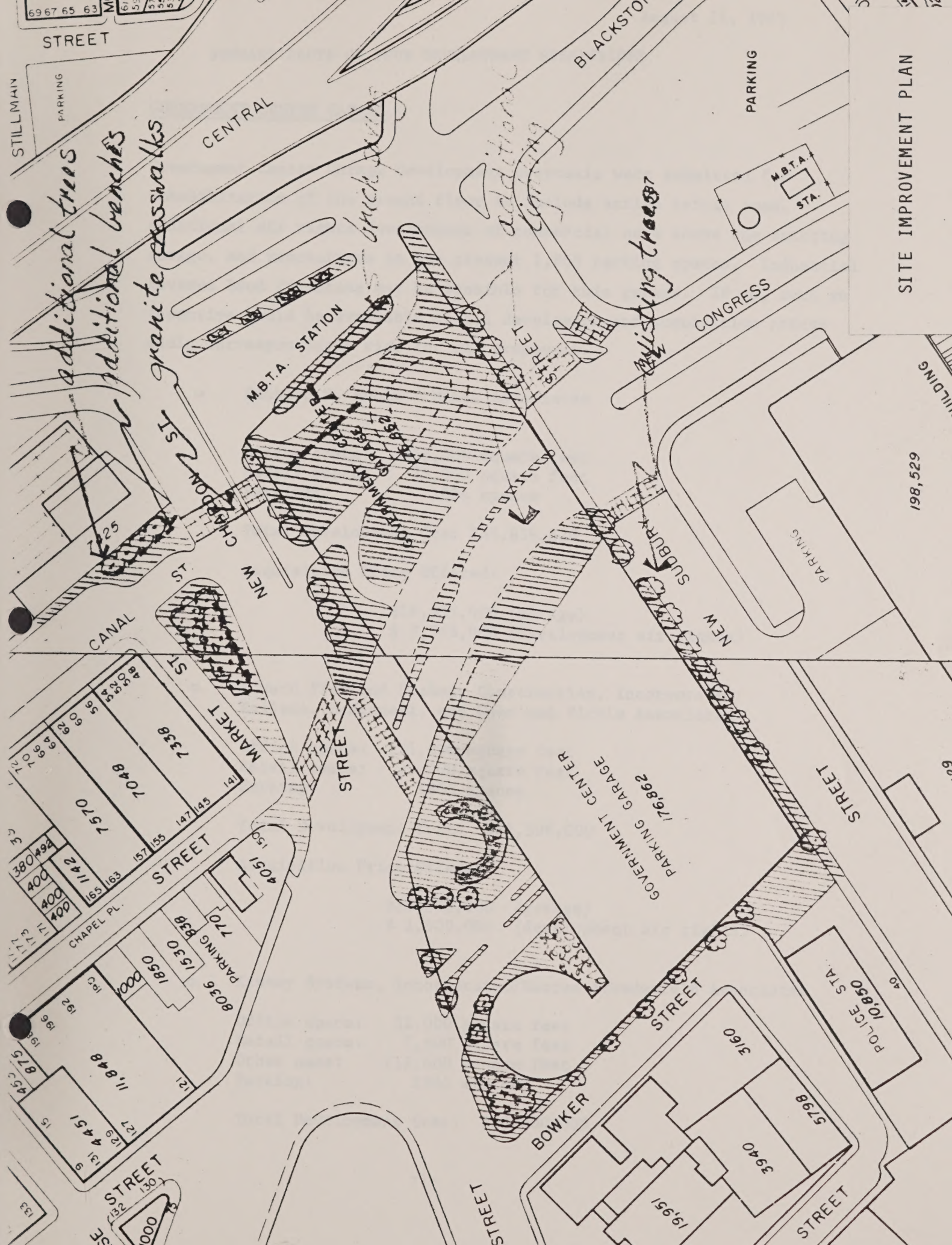
The developer shall correct the existing depressions in the ground plane through redesign.

III. INSTALLATION AND OPERATION OF PUBLIC IMPROVEMENTS

A. The following public improvements shall be provided:

1. Granite cross walks shall be constructed according to the attached site improvement plan.
2. All pedestrian spaces (including public sidewalks and traffic islands) shall be brick paved (City Hall pavers) according to the attached site improvement plan.
3. Pedestrian scale lighting fixtures shall be installed to provide visibility and security. A level of 2.0-foot-candles 24 hours per day is required.
4. A coordinated program of signage (size, shape, color and format) for various uses shall be installed. Signs shall distinguish retail, parking, bus, MBTA, and information activities.

5. Street trees of not less than 3½" Caliper and 6" Caliper shall be provided where possible, according to the attached site improvement plan.
 6. Trash receptacles (Back Bay standard) shall be provided.
 7. The sculpture park on the north side of the garage shall be replanted.
 8. The planting bed along Sudbury Street shall be replanted.
- B. All site public improvements and plantings shall be maintained by the developer.



SUMMARY FACTS OF FOUR DEVELOPMENT SUBMISSIONS

GOVERNMENT CENTER GARAGE

Government Center Garage development proposals were submitted for rehabilitation of the ground floor to include active retail uses, additional air rights development of commercial uses above the existing garage, and renovations to the present 1,865 parking spaces. Industrial Revenue Bond financing may be possible for this garage. If so, such an incentive would be available to all developers and acquisition prices would correspondingly rise for all proposals.

o Richard H. Rubin / Mintz Associates

Office space: 153,000 square feet
 Retail space: 25,000 square feet
 Parking: 1884 spaces

Total Development Cost \$35,859,628

Acquisition Price Offered:

\$16,935,000 (garage)
 \$ 3,565,000 (development air rights)

o Edward Fish and Peabody Construction, Incorporated/
 Kallman, McKinnell, and Wood and Vitols Associates

Office space: 151,000 square feet
 Retail space: 23,000 square feet
 Parking: 1865 spaces

Total Development Cost: \$35,398,000

Acquisition Price Offered:

\$16,000,000 (garage)
 \$ 1,500,000 (development air rights)

o Kinney Systems, Incorporated/Warren Freedman Associates

Office space: 32,000 square feet
 Retail space: 7,600 square feet
 Other uses: 112,600 square feet
 Parking: 1865 spaces

Total Development Cost: \$30,000,000

Acquisition Price offered:

\$16,000,000 (garage)

\$ 3,000,000 (development air rights)

- o Partnership of World Wide Parking Associates, Inc. and James Sullivan / WZMH Group, Inc.

Office space: 150,000 square feet

Retail space: 10,000 square feet

Parking: 1865 spaces

Other uses: Heliport on roof level

Total Development Cost: \$35,900,000

Acquisition Price offered:

\$18,000,000 (garage)

\$ 3,900,000 (development air rights)

FACT SHEET

GOVERNMENT CENTER PARKING FACILITY

RICHARD H. RUBIN COMPANIES PROPOSAL

DEVELOPER: Richard H. Rubin Companies

ARCHITECT: Mintz Associates Architects/Planners, Inc.

GENERAL CONTRACTOR: Perini Corporation

GARAGE IMPROVEMENTS:

ALTERNATIVE I

25,000 gross square feet retail space
1,884 parking spaces (an additional 19 spaces to
existing 1,865 spaces)

ALTERNATIVE II

25,000 gross square feet retail space
2,249 parking spaces (an additional 384 spaces)

AIR RIGHTS DEVELOPMENT:

ALTERNATIVE I

153,000 gross square feet office space

ALTERNATIVE II

252,000 gross square feet office space

PUBLIC BENEFIT:

ALTERNATIVE I

695 permanent jobs (office)
63 permanent jobs (retail)
20 retained jobs (garage)
300 construction jobs
\$1,000,000 real estate taxes

ALTERNATIVE II

1,145 permanent jobs (office)
63 permanent jobs (retail)
20 retained jobs (garage)
600 construction jobs
\$1,400,000 real estate taxes

MEMORANDUM

AUGUST 11, 1983

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT J. RYAN, DIRECTOR

SUBJECT: GOVERNMENT CENTER PROJECT, MASS. R-35
RECOMMENDING TO THE CITY OF BOSTON, ACTING BY AND
THROUGH THE PUBLIC FACILITIES DEPARTMENT, THE
TENTATIVE DESIGNATION OF RICHARD H. RUBIN AS
REDEVELOPER OF THE GARAGE AND AIR RIGHTS DEVELOPMENT
OF THE GOVERNMENT CENTER PARKING FACILITY

As you are aware, the Authority, on November 18th, 1982, authorized the advertising for development interest for the Government Center Garage, along with four other sites. The Authority, at the time, was acting under delegation of limited powers from the Public Facilities Commission and the Boston Real Property Board.

The total parcel is approximately 176,862 square feet and includes a present garage of nine levels containing 1,865 parking spaces. Under the guidelines, the garage would remain a parking facility with additional development rights being allowed for the site.

As a result of the solicitation for development interest, the Authority received four proposals. Each proposal was subject to a detailed process by the Authority staff including analysis of compliance with the design development guidelines that were outlined in the development kit.

The submission of Richard H. Rubin, with Mintz Associates as architects, meets these initial guidelines, with the highest potential level of revenue coming to the City. Under the proposal by Mr. Rubin, the development will include up to 25,000 square feet of retail space; up to 153,000 square feet of office space; and will retain, as a minimum, the 1,865 public parking spaces with the potential for additional much-needed spaces being provided in the development. Minimum disposition price shall be \$20,500,000; and, as proposed by the developer, if engineering studies determine additional office and parking spaces to be feasible as outlined in Alternative II, the minimum disposition price will be increased to \$22,000,000.

The Authority is in a unique position in that we are not designating at this time, but rather, by this action, are recommending that the City of Boston, acting by and through the Public Facilities Commission, tentatively designate Mr. Rubin as developer. The recommended developer has the experience and financial resources necessary to complete this development. He is presently constructing a \$50,000,000 development at 265 Franklin Street, containing 313,000 square feet of office space, scheduled to be completed in 1984. He has also completed sizeable office building development in Washington, D.C. and in Maryland.

The disposition of the Government Center facility is very advantageous as the City would not only receive a minimum disposition price of \$20,500,000 and be able to retain the same number of public parking spaces, but in addition the City would receive over \$1,000,000 annually in additional tax revenue.

It is understood that the City Real Property Department will continue to run the parking facility until final disposition of the facility to the developer and will continue to receive the revenue until that time.

In addition to the disposition price, the developer will spend over \$15,000,000 on the renovation of the development air rights and site improvements to the overall area, including new brick sidewalks, trees, and planters in and around the adjacent streets, all of which are listed in the "Terms and Conditions for Tentative Developer Designation" which is attached hereto, and will be subject to approval in detail prior to the final designation. Prior to the Authority recommending final designation, the development will be subject to the subsequent approval of the Boston Redevelopment Authority of minor changes in the Government Center Urban Renewal Plan affecting Disposition Parcel 4 concerning height, FAR, and uses, that are necessary to effectuate the proposed development.

The Authority is recommending that this development, sometimes known as Parcel 4 in the Government Center Project, be tentatively designated by the Public Facilities Commission subject to the terms and conditions as set forth in the document attached hereto entitled, "Terms and Conditions for Tentative Developer Designation Government Center Garage Parcel"; such terms and conditions are incorporated into this recommendation by reference.

An appropriate vote follows.

VOTED: That the Authority recommends to the City of Boston, acting by and through its Public Facilities Commission, the tentative designation of Richard H. Rubin Companies as redeveloper of the Government Center garage facility; said recommendation is subject to the incorporation of the terms and conditions as set forth in the document attached hereto entitled, "Terms and Conditions for Tentative Developer Designation Government Center Garage Parcel"; and said designation is subject to all easements of record as well as to the terms and conditions of the Government Center Urban Renewal Plan and the Land Disposition Agreement and Deed with the City of Boston.